

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE  
FERTILIZER INSPECTION ADVISORY BOARD MEETING  
September 18, 2003  
Sacramento, California**

**MINUTES**

The meeting was called to order at 10:00 a.m. with the following individuals present:

**BOARD MEMBERS**

Tom Beardsley (Acting Chairman)  
Steve Spangler  
Tim McGahey  
Les Breschini  
Jim Joseph  
David McEuen  
Bob Duckworth

**CDFA**

Sandra Newell  
Stephen Beam  
Stan Kobata  
Maryam Khosravifard  
Kent Kitade  
Mindy McIntyre  
Laurie Shortridge  
Frank Delgado

**GUESTS**

Renee Pinel/CPHA

**INTRODUCTIONS & ANNOUNCEMENTS**

Board members John Salmonson and Brad Baltzer were not present at the meeting. In the absence of John Salmonson, Tom Beardsley served as the Acting Chairman. Mr. Beardsley asked all attendees to introduce themselves. David McEuen was introduced as the newest member of the Board, replacing Brock Taylor. Mr. McEuen also serves on the Fertilizer Inspection Advisory Board/Technical Advisory Subcommittee (FIAB/TASC) for the Fertilizer Research and Education Program (FREP).

**VACANCIES**

Sandra Newell updated Board members on vacancies and the status of the State-hiring freeze. The Agricultural Commodities and Regulatory Services (ACRS) Branch was required to resubmit two hiring freeze exemption requests to the Department of Finance (DOF) for the vacant Branch Chief and two Special Investigator positions. Although a freeze exemption request for the Special Investigators had been approved previously, to date the resubmitted requests have yet to be approved by the DOF. Ms. Newell then advised the Board that the DOF required all Continuously Appropriated (CA) programs to cut Personal Services by 12 percent in the current budget. The Division of Inspection Services achieved this goal by eliminating vacancies and reducing the spending authority for seasonal hires.

Ms. Newell also informed the Board that the DOF has required CDFA to designate all employees with less than 30 months state service as surplus. As a result, three ACRS employees have been placed on the surplus list, including a Staff Services Analyst, a Registration Specialist and a Special Investigator assigned to southern California. The Board discussed the possibility of contracting out with industry to support the Registration Specialist should that employee be laid off. Renee Pinel indicated that she would contact the Governor's Office regarding the hiring freeze and the surplus employees.

## **MINUTES**

Tom Beardsley asked the Board if they had reviewed the minutes of the June 27, 2003 meeting.

**A motion was made and seconded (Duckworth/Spangler) to accept the minutes as written. Motion passed unanimously.**

## **FERTILIZER REGULATION UPDATE**

Maryam Khosravifard updated the Board on the proposed revisions to Sections 2303, 2309 and 2311 of the Commercial Fertilizer Regulations. She indicated that the comment period ended August 4, 2003, with the Branch receiving only one comment from industry concerning phosphorous acid labeling. The commenter had concerns regarding the required guarantee for total phosphoric acid in products that contain only phosphorous acid on an "as is" basis. The Department has addressed the concern by providing the additional proposed language, "upon conversion from phosphorous acid" to Section 2309 of the California Code of Regulations. She also indicated that the regulations have been finalized and are ready for filing with the Office of Administrative Law (OAL) following final approval by the Executive Office of CDFA. The OAL has 30 working days to review and approve the amendments. Upon approval by OAL, the regulations will be filed with the Secretary of State's office and become effective in 30 days.

Renee Pinel brought up the issue of perchlorate contamination, specifically in the Imperial Valley, and the concern by the Western Growers Association of water supplied by the Colorado River. She asked Stephen Beam if CDFA had anyone working with the Department of Health Services (DHS) on this issue. Dr. Beam indicated that no one in Inspection Services was directly involved. However, he would follow up with Dan Webb in the Executive Office to see if Steve Shaffer's Environmental Policy group was working with DHS.

## **DIOXIN UPDATE**

Maryam Khosravifard updated the Board on the results of dioxin analysis in samples of zinc fertilizers collected in July and August of 2003. The Department was interested in assessing industry's compliance with the 2002 United States Environmental Protection Agency's (US EPA) threshold limit of eight parts per trillion (ppt) Toxic Equivalency (TEQ) for dioxins in zinc fertilizers. The survey conducted in 1999 indicated that zinc fertilizers contained dioxins at low detectable levels, with the exception of one sample which contained twice the threshold limit of eight ppt -TEQ. For comparison purposes, the new sampling focused on companies that were sampled previously. Results showed that all samples contained less than two ppt -TEQ and were in compliance with US-EPA standards.

Maryam also informed the Board that a technical poster titled, "POTENTIAL ROLES OF MICRONUTRIENT SUPPLEMENT APPLICATIONS ON PCDD/Fs AND TRACE ELEMENTS IN CALIFORNIA AGRICULTURAL SOILS" was presented at the International Symposium of Halogenated Environmental Organic Pollutants & Persistent Organic Pollutants (POPS) in August 2003, in Boston. The study examined the potential contribution of waste-derived fertilizers and micronutrient supplements to the concentrations of polychlorinated dibenzo-p-dioxin/furans (PCDD/F), arsenic (As), cadmium (Cd), and lead (Pb) in California agricultural soils collected in 2000-2001. The poster was well received and the Department intends to incorporate the results of the new survey in a poster to be presented at next year's symposium.

### **FREP UPDATES**

Kent Kitade informed the Board that the 11<sup>th</sup> Annual FREP Conference is scheduled for November 20, 2003, at the Edison AgTAC facility in Tulare, California.

Kent stated that the TASC met on September 17, 2003, and selected six projects to be recommended to the Board for funding. The total amount of funding to support the six projects is \$445,624. Les Breschini inquired about the status of the Monterey County Water Resources Agency project proposed by Kathy Thomasberg. Mr. Beardsley informed the Board that although the TASC felt that the project was the type that FREP should fund, the project budget was inappropriate because of unusually high personnel costs. Mr. Beardsley led a discussion on the outreach project proposed by Dr. Valerie Mellano titled, "Choosing a landscape company: Guidelines for homeowners in California."

**A motion was made and seconded (McGahey/Spangler) to recommend the six projects selected by the TASC be approved for funding. The motion passed unanimously.**

### **LABORATORY UPDATE**

Stan Kobata informed the Board of the Center for Analytical Chemistry's (CAC) position on the recycling of fertilizer samples. At a previous meeting, the Board asked Dr. Mark Lee to investigate the possibility of recycling the unused portion of fertilizer samples submitted to CAC for analysis. Mr. Kobata stated that the lab modifies the physical structure of the fertilizer sample during sample preparation. Therefore, the lab, not the manufacturer, would assume liability for any personal injury or property damage caused by the application of the surplus fertilizer samples.

In addition, the samples would lack product identification, a derivation statement and directions for their safe use. Therefore, the samples could not be re-utilized and must be disposed of as chemical waste. The CAC has begun weighing fertilizer samples to determine the amount of waste generated.

### **ADDITIONAL ITEMS AND NEXT MEETING**

Renee Pinel suggested to the FIAB that someone from the Board meet with a representative from the University of California Cooperative Extension (UCCE) to express what issues/projects are of the most concern to the Industry. Researchers may develop projects more relevant to the FREP mission as a result of industry's suggestions.

Stephen Beam informed the Board members of their responsibility to satisfy the Ethics Orientation requirement of the State Attorney General's Office. Members of the Board are required to complete the ethics training and submit certification to the Learning and Development Center of CDFA before December 31, 2003.

The next board meeting is scheduled for 10:00 a.m., January 21, 2004, in Sacramento.

**A motion was made and seconded (Joseph/Spangler) to adjourn the meeting. The motion passed unanimously, and the meeting was adjourned at 11:30 a.m.**

Respectfully Submitted,

Dr. Stephen Beam, Acting Branch Chief  
Agricultural Commodities and Regulatory Services  
Inspection Services

SWB/ls